

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STRIDER ROGNIRHAR,	)	8:08CV51
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
TERRY S. SOUTHERN, and	)	
TIMOTHY ELARIO,	)	
	)	
Defendants.	)	

This matter is before the court on its own motion. On July 11, 2012, the court ordered the parties to submit briefs addressing the issue of damages. (Filing No. [70](#).) Plaintiff filed a brief addressing the issue of damages, but Defendants did not.

The court has carefully reviewed the docket sheet and determined that the court's July 11, 2012, Memorandum and Order was not delivered to Defendant Terry Southern ("Southern") at her current address. On December 11, 2009, Terry Southern filed a Sealed Letter in which she updated her address. (Filing No. [57](#).) However, the docket sheet was not updated to reflect the new address in order to protect Southern's private information. The court's July 11, 2012, Memorandum and Order was delivered to the address appearing on the docket sheet, not to Southern's current address.

In light of this, the court will redeliver its July 11, 2012, Memorandum and Order to Defendants, and also provide them with one final opportunity to respond to Plaintiff's brief on the issue of damages. **Defendants should note that summary judgment on the issue of liability has already been entered against them, and Plaintiff now seeks over \$100,000.00 in damages.**

IT IS THEREFORE ORDERED that:

1. The clerk's office is directed to send to Defendants a copy of this Memorandum and Order; a copy of the court's July 11, 2012, Memorandum and Order (Filing No. [70](#)); and copies of Plaintiff's filings addressing the issue of damages (Filing Nos. [51](#), [52](#), and [71](#)). These documents should be sent to Defendant Timothy Elario at his last-known address, and to Southern at the address listed in her Sealed Letter at Filing Number 57.
2. Defendants have until December 17, 2012, to address the issue of damages. Defendants are warned that their submissions must comply with the Federal Rules of Civil Procedure and the court's local rules in order to be considered.
3. The clerk's office is directed to set a case management deadline in this matter: December 17, 2012: Deadline for Defendants to address issue of damages.

DATED this 5<sup>th</sup> day of November, 2012.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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